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Talking Points

NBC News Case In 'Inactive' File

Justice Department investigations generally remain in "active" status until charges are brought or a case is officially closed. But sources say a political hot potato handed over by CIA Director William J. Casey appears to have been buried deep in an "inactive" file drawer at Justice, where the case remains open but in bureaucratic limbo.

The matter, referred by Casey for possible prosecution two months ago, involves an NBC News story on the trial of convicted spy **Ronald W. Pelton**. The report by correspondent **James Polk**, aired on the "Today" show, reprised a report by Polk last November that Pelton apparently gave away one of the National Security Agency's most sensitive secrets, "believed to be a top-secret eavesdropping program by American submarines inside Soviet harbors."

Casey said the report may have violated a law against publishing classified information about U.S. intelligence activities. Casey's referral came two weeks after he suggested that The Washington Post, The New York Times, The Washington Times, Time and Newsweek might be prosecuted under the espionage law for publishing sensitive information.

But there is little enthusiasm at the Justice Department for seeking charges against NBC. One official said the strategy is to "let it lie for awhile . . . We're going to stall as long as possible." The department does not want to formally drop the case now, sources said, to avoid angering Casey and generating more publicity on the dispute. The department's official response: No comment.



WILLIAM J. CASEY
... referred NBC case to Justice